IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.91 OF 2004

The Commissioner of Income Tax
Mumbai City VII, Mumbai .. Appellant.
V/s.
M/s.Precession Rubber Ind.Pvt.Ltd. .. Respondent.

Mr.R. Asokan i/b. H.D. Rathod for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 30TH NOVEMBER, 2004.

P.C. :

Heard.

2. It is not in dispute that the controversy raised in this appeal stands concluded by the division bench judgment of this court in the case of CIT V/s.Sudarshan Chemicals Ind. Limited [245 ITR 769]. However, the learned counsel for the revenue submits that the said judgment is under challenge in Special Leave Petition before the Supreme Court. Even if that be so in so far as we are concerned, the controversy stands concluded by the division bench judgment of this court.

3. No substantial question of law arises in this appeal. The appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)